

# EXHIBIT “A”

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X

CARMELLA BUCCAFUSCO.

PLAINTIFF,

INDEX NUMBER

-AGAINST-

SUMMONS

RESORTS CASINO HOTEL ATLANTIC CITY,

PLAINTIFFS DESIGNATE  
KINGS COUNTY

DEFENDANT

AS THE PLACE OF TRIAL

THE BASIS OF VENUE  
Plaintiff Buccafusco  
Residence  
81-23 17<sup>th</sup> Ave.

-----X

TO THE ABOVE NAMED DEFENDANT(S) :

RESORTS CASINO HOTEL ATLANTIC CITY,

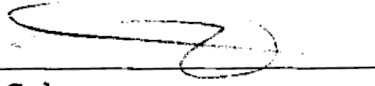
YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgement will be taken against you by default for the relief demanded in the complaint.

DATED: BROOKLYN, NEW YORK  
November 10, 2011

DEFENDANT'S ADDRESS

RESORTS CASINO HOTEL ATLANTIC CITY

NEIL COHEN  
ATTORNEY FOR PLAINTIFFS  
POST OFFICE  
32 COURT STREET  
BROOKLYN, NEW YORK 11201  
(718) 624-3246

By   
Neil Cohen

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X  
CARMELLA BUCCAFUSCO,

PLAINTIFFS.

INDEX NUMBER

-AGAINST-

VERIFIED  
COMPLAINT

RESORTS CASINO HOTEL ATLANTIC CITY

DEFENDANT.  
-----X

Plaintiff, complaining of the defendant by her attorney, Neil Cohen, respectfully show to this Court and allege:

FIRST: That at all times hereinafter mentioned, and at the commencement of this action, plaintiff was a resident of the County of Kings, City and State of New York.

SECOND:: Upon information and belief, that at all times hereinafter mentioned, the defendants RESORTS CASINO HOTEL ATLANTIC CITY was and still is the owner of the premises know as RESORTS CASINO HOTEL ATLANTIC CITY and located at 1133 Boardwalk Atlantic City, New Jersey 08401.

THIRD: Upon information and belief, that at all times hereinafter mentioned defendant RESORTS CASINO HOTEL ATLANTIC CITY was and still is the lease holder of the premises know as and located at 1133 Boardwalk , Atlantic City, NJ 08401.

FOURTH: Upon information and belief, that at all times

hereinafter mentioned, the defendant, RESORTS CASINO HOTEL ATLANTIC CITY was and still is the lease holder of the premises know as and located at 1133 Boardwalk , Atlantic City, NJ 08401. was and still is a domestic corporation duly organized and existing under and by virtue of the laws of the State of New Jersey.

FIFTH: Upon information and belief, that at all times hereinafter mentioned, the defendant, RESORTS CASINO HOTEL ATLANTIC CITY was and still is a foreign corporation duly licensed to do business in the State of New Jersey.

SIXTH: : Upon information and belief, that at all times hereinafter mentioned, the defendant, RESORTS CASINO HOTEL ATLANTIC CITY was and still is a foreign corporation duly licensed to do business in the State of New Jersey

SEVENTH: : Upon information and belief, that at all times hereinafter mentioned, the defendant, RESORTS CASINO HOTEL ATLANTIC CITY was and still is a business duly licensed to do business in the State of New York

EIGHTH: Upon information and belief, that at all times hereinafter mentioned, the defendant, RESORTS CASINO HOTEL ATLANTIC CITY was and still owns the area located on the second floor of the Casino near the Theater entrance.

NINTH: At all times hereinafter mentioned, defendant RESORTS CASINO HOTEL ATLANTIC CITY upon information and belief, and at all

times hereinafter mentioned, defendant maintained, managed and controlled the aforementioned area.

TENTH: On or about the 26th day of May. 2019, while plaintiff Carmella Buccafusco, was walking in area located on the second floor of the Casino near the Theater entrance, suddenly and without warning, she was caused to slip and fall due to the negligence of the defendant herein, and causing her to sustain serious injuries hereinafter alleged,

ELEVENTH: That the aforesaid occurred solely and wholly as a result of the negligence of the defendant herein and without any negligence on the part of the plaintiff contributing thereto.

TWELFTH: That the said accident and the injuries resulting therefrom, were caused through and by reason of the negligence and carelessness of the defendants, there agents, servants and/or employees in the ownership, operation, management maintenance and control of the afore described area: in that the defendant knew, or in the exercise of reasonable care and caution, observation and inspection could and should have known that the afore described area in its then condition was likely to and would result in injury to those lawfully making use thereof, including this plaintiff; in failing and omitting to provide this plaintiff with a safe and proper place on which to walk; in that they permitted the floor to remain in a defective and dangerous condition for a long period of time prior to the accident herein alleged; in that they failed to inspect the said area; in causing, permitting and allowing the said

area at the aforesaid location to be, become and remain in a hazardous and dangerous condition, and thereby constituting a nuisance, danger, menace and hazard; in knowingly and for a long and unreasonable length of time, it failed to ensure that the said area was maintained in a safe, proper and suitable condition; allowing said area to be, become and remain in a dangerous, unsafe, condition; in that said area was uneven, and in the nature of a trap; in that they failed to exercise due care and caution under the circumstances then prevailing; in that they failed to make warning of the dangers present, and defendant was otherwise negligent and careless in the premises.

THIRTEENTH: That by reason of the foregoing, plaintiff, was severely bruised, wounded and injured in and about her head, body and limbs, and suffered, still suffers, and upon information and belief, will continue to suffer great physical and mental pain, and she was rendered sick, sore, lame and disabled and so remains, and she was confined to her bed and home for a long period of time, and she was incapacitated from attending to her usual duties and upon information and belief will, in the future, be so incapacitated, and plaintiff was obliged to and did employ medical aide and attention, and did necessarily pay and become liable therefore, and upon information and belief, will be obligated to expend various sums of money for such aid in the future, and plaintiff has been incapacitated from attending to her usual duties and that plaintiff has been otherwise damaged.

FOURTEENTH: : That the amount of damages sought herein exceeds the jurisdiction limits of any lower court which would otherwise have jurisdiction.

**WHEREFORE,** plaintiffs demands judgement against the defendant in the sum that exceeds the jurisdiction limits of any lower court which would otherwise have jurisdiction together with the costs and disbursements of this action.

.

NEIL COHEN  
ATTORNEY FOR PLAINTIFFS  
OFFICE AND P.O. ADDRESS  
32 COURT STREET  
BROOKLYN, NEW YORK 11201  
(718) 624-3246

By \_\_\_\_\_  
NEIL COHEN


STATE OF NEW YORK       )  
                                      )   ss.:  
COUNTY OF KINGS        )


CARMELLA BUCCAFUSCO, being duly sworn, deposes and says:

That deponent is the plaintiff in the action herein, that  
She has read the annexed **COMPLAINT** and know the contents thereof;  
that the same is true to her knowledge, except as to those matters  
therein stated to be alleged on information and belief, and as to  
those matters she believes it to be true;

  
CARMELLA BUCCAFUSCO

SWORN TO BEFORE ME THIS

 DAY OF *Sept* 2020

  
NOTARY PUBLIC

NEIL COHEN  
NOTARY PUBLIC, State of New York  
Registration No. 02CO4650107  
Qualified in Kings County  
Commission Expires August 31, 20 21



Index No.

Year 2020

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS**

=====

**CARMELLA BUCCAFUSCO**

**Plaintiff,**

**-against-**

**RESORTS CASINO HOTEL ATLANTIC CITY**

**Defendants.**

=====

**SUMMONS and VERIFIED COMPLAINT**

=====

**NEIL COHEN**



32 Court Street  
Suite 507  
Brooklyn, New York 11201  
(718)624-3246, Fax:(718)875-5883

=====